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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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MARK EDWARD NICHOLS,  
Plaintiff,  
  
v.  
  
NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
  
Defendant.

Case No. 3:17-cv-00593-LRH-CBC  
ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Carla Baldwin Carry (ECF No. 23) entered on October 3, 2018, recommending denying plaintiff's Motion for Judgment on the Pleadings (ECF No. 16) entered on March 29, 2018, and granting defendant's Cross-Motion to Affirm (ECF No. 17) entered on April 30, 2018. On October 17, 2018, plaintiff filed his Objections to the Magistrate Judge's Report and Recommendation (ECF No. 25) and on October 30, 2018, defendant filed its Response to Plaintiff's Objections to Report and Recommendation (ECF No. 26).

The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered plaintiff's objections, the response of defendant and the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and

1 Recommendation (ECF No. 23) entered on October 3, 2018, should be adopted and  
2 accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and  
4 Recommendation (ECF No. 23) entered on October 3, 2018, is ADOPTED AND  
5 ACCEPTED, and plaintiff's Motion for Judgment on the Pleadings (ECF No. 16) is  
6 DENIED.

7 IT IS FURTHER ORDERED that defendant's Cross-Motion to Affirm (ECF  
8 No. 17) is GRANTED.

9 IT IS FURTHER ORDERD that the clerk of the Court shall enter judgment in this  
10 matter.

11 IT IS SO ORDERED.

12 DATED this 20th day of November, 2018.

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15 LARRY R. HICKS  
16 UNITED STATES DISTRICT JUDGE  
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